

## **REMARKS**

Applicants are making minor amendments to dependent claims 62, 68 and 70 to correct informalities therein.

Applicants will now address the Examiner's objections and rejections in the order in which they appear in the Final Rejection.

### **Claim Objections**

In the Final Rejection, the Examiner objects to Claim 72 under 37 CFR §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In order to advance the prosecution of this application, Applicants have canceled this claim, rendering this objection moot. Accordingly, it is respectfully requested that this objection be withdrawn.

### **Claim Rejections - 35 USC §103**

#### **Claims 60, 62-65, 67, 69 and 71-76**

The Examiner also rejects Claims 60, 62-65, 67, 69 and 71-76 under 35 USC §103(a) as being unpatentable over Yamazaki (US 5,990,542) in view of Yukasaka (US 6,359,606). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants have amended independent Claims 60, 65, 71, 75 and 76.

In particular, with regard to independent Claims 60 and 71, Applicants have amended these claims to recite that the first electrode of a light emitting element is formed in contact with the passivation film. This feature is shown, for example, on pages 15-17 (and particularly, page 15, lines 21-22) of the specification and in FIG. 1 of the present application. Applicants have

also amended Claims 60 and 71 to recite that a light emitting layer is formed by an ink jet method. This feature is shown, for example, on page 20, lines 7-17 of the specification of the present application.

In the Final Rejection, the Examiner is contending that Yamazaki teaches the step of forming a film 118 as a passivation film and forming a first electrode 121 over the passivation film. However, film 118 (i.e. interlayer insulating film 118) is not in contact with alleged first electrode 121 (i.e. pixel electrode 121) in Yamazaki.

Applicants note that interlayer insulating film 120 in Yamazaki cannot be the passivation film of the claimed invention, as film 120 is formed of a resin and does not function to release the heat generated by the EL element, as occurs with the passivation film of the present invention (see e.g. page 15, line 22 of the present application). Furthermore, in the present application, it is taught that the passivation film functions as a protection layer for preventing penetration of substances, such as moisture, from the light emitting layer, which is formed by wet type method such as an ink jet method, to a TFT side and for not diffusing alkaline metals within the light emitting layer to the TFT side (see e.g. page 16, lines 4-9 and 14 of the present application). As the film 120 in Yamazaki cannot perform these functions, it cannot be the passivation film of the claimed invention. Hence, neither of the cited references disclose nor suggest the claimed method of independent Claims 60 and 71 of the present application.

With regarding to independent Claims 65 and 75, Applicants have amended these claims to recite that the first electrode of a light emitting element is formed in contact with the passivation film (Claim 65) or the second insulating film (Claim 75). As explained above, this feature is clearly supported by the present application and is not disclosed or suggested by the cited references.

Applicants have also amended Claims 65 and 75 to recite that the light emitting layer, the second electrode and the second passivation film (Claim 65) or the third insulating film (Claim 75) are formed in succession. This feature is shown, for example, on page 33, lines 7-9 and page 35, lines 5-7 of the specification of the present application. Applicants respectfully submit that neither Yamazaki nor Yudasaka disclose or suggest the feature of forming the passivation film and the light emitting layer, the second layer and the second passivation (or the third insulating film) in succession. Hence, neither of the cited references disclose or suggest the claimed method of independent Claims 65 and 75 of the present application.

With regard to independent Claim 76, Applicants have amended this claim to recite that the first electrode of a light emitting element is formed in contact with the second insulating film. Therefore, for the above-stated reasons, Claim 76 is not disclosed or suggested by the cited references.

Accordingly, for at least the above-stated reasons, independent Claims 60, 65, 71, 75 and 76, and those claims dependent thereon, are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

#### Claims 68 and 70

The Examiner also rejects Claims 68 and 70 under 35 USC §103(a) as being unpatentable over Yamada-Yudsaka and further in view of Kikukawa et al. (US 6,329,036). This rejection is also respectfully traversed.

Each of these rejected claims is a dependent claim. Accordingly, these claims are allowable over the cited references for at least the reasons discussed above for the independent claims. Therefore, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are adding new dependent Claims 77-78. It is not believed that any fee is due for these new claims. If any fee should be due, please charge our deposit account 50/1039.

Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. It is respectfully requested that this IDS be entered and considered prior to the issuance of a further action in this case.

Conclusion

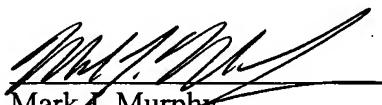
It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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